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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jan F.A. SMITS )  
SERIAL NO: 09/787,171 ) Group Art Unit: 3764  
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TITLE: HALLUX VALGUS BRACE

THE COMMISSIONER FOR PATENTS  
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AMENDED CLAIMS

1. (currently amended) A hallux valgus brace comprising a three point lever means for correcting the position of the big toe, wherein the complete brace including the three point lever means is designed to be located distally of the metatarsal joint, the brace comprising a frame, sized and configured to be located substantially under the toes and at a first end providing a first force at a first point on the medial side of the first phalanx of the big toe, at a location between the big toe and the second toe providing a second force at a second point on the lateral side of the distal end of the big toe, and at a second end providing a third force a third point on the ball of the foot;

wherein the brace comprises a proximal pad pressing on the first phalanx of the big toe, a distal pad pressing on the distal end of the big toe, and a lever arm pressing on the ball of the foot;

wherein the distal pad is disposed on an adjustable arm.

2. (cancelled)

3. (currently amended) A brace according to ~~claim 2~~ claim 1, wherein the distal pad is adapted to press on the distal end of the first phalanx of the big toe.

4. (cancelled)

5. (currently amended) A brace according to ~~claim 4~~ claim 1 or 3, wherein the adjustable arm is secured to a sleeve which is slidable.
6. (currently amended) A brace according to ~~any one of claims 1, 2 or 3~~ claim 1 or 3, wherein the brace is manufactured from steel wire and steel pads.
7. (currently amended) A brace according to ~~any one of claims 2 or 3~~ claim 1 or 3, wherein the lever arm is provided with a silicone tube.
8. (currently amended) A brace according to ~~any one of claims 1, 2 or 3~~ claim 1 or 3, wherein a strap is provided for fitting around the third toe.
9. (previously presented) A brace according to claim 8, wherein the strap is made of rubber or plastic or a hook and loop connection.
10. (currently amended) A brace according to ~~any one of claims 2 or 3~~ claim 1 or 3, wherein the distal pad carries a strap to be located around the big toe.